

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Stephen R. Corkum, et al.

v.

Civil No. 08-cv-187-JL

Wal-Mart Stores East, LP

O R D E R

Plaintiff's motion to remand to state court (doc. #5) is GRANTED. Although, in general, settlement offers (made by defendants) are not particularly helpful in determining the value of a case, the plaintiff's demand figure of \$33,000 is highly probative of the "best case scenario" for the plaintiffs. The defendant has not sustained its burden of demonstrating value meeting the jurisdictional minimum under the applicable standard, that the case "could objectively have been viewed as worth the jurisdictional minimum." See Evans v. Yum Brands, Inc., 326 F. Supp. 2d 214 (D.N.H. 2004); Lowe v. Sears Holding Corp., Op. No. 2008 DNH 050 (March 4, 2008).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: June 25, 2008

cc: David P. Slawsky, Esq.
Scott A. Forman, Esq.
Christopher B. Kaczmarek, Esq.